

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

ARNOLD R. DORMER, JR.,

Case No. 11-27934-PJD

Debtor

Chapter 11

**MOTION TO DETERMINE LOAN BALANCES OWED BY REORGANIZED DEBTOR
TO POPULAR COMMUNITY BANK**

Comes now Arnold R. Dormer, Jr., the Reorganized Dormer (“Dormer”), by counsel, and moves the Court, pursuant to the terms of the Confirmed Plan of Reorganization, to determine proper balances owed by Dormer to Popular Community Bank, also known as Banco Popular North America and in support of his Motion, would show the Court as follows:

FACTS

1. This Chapter 11 case was filed on August 5, 2011.
2. On January 27, 2012, Dormer filed his Second Amended Plan of Reorganization (the “Plan”). Banco Popular North America was listed as a creditor under Class 31 of the Plan.
3. On August 30, 2012, the Court entered its Order Confirming Plan [D.E. 652].
4. Pursuant to the terms of the confirmed Plan, Banco Popular was listed as a creditor holding a first priority deed of trust on 4132 Mountain Terrace, Memphis, Tennessee, with an allowed secured claim of \$20,000.
5. The effective date of the Plan was October 15, 2012.
6. The Debtor is current with all payments under the Plan. In spite of repeated communications requesting that this creditor recognize the effect of the confirmed Plan and adjust its records accordingly, it has failed and refused to do so.

WHEREFORE, Dormer prays that the Court make a determination that the principal balance owed to Popular Community Bank is as set out in the Plan and Agreed Orders resolving the Objections to Confirmation as of the Effective Date and that all payments due under the Plan are current, that the Court compel Popular Community Bank to comply with the terms of the Agreed Orders, Plan and the Order Confirming Plan and provide correct statements, and for such other relief to which he may be entitled.

Respectfully submitted,

BEARD & SAVORY, PLLC

/s/ Russell W. Savory

Russell W. Savory (12786)
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Memphis, TN 38103
901-523-1110

CERTIFICATE OF SERVICE

I, Russell W. Savory, do hereby certify that a true and genuine copy of the foregoing pleading has been served on following parties by electronic notice or U.S. Mail, this 1st day of October, 2018:

Popular Community Bank
P.O. Box 4906
Miami Lakes, FL 33014-8500

/s/ Russell W. Savory

Russell W. Savory